

CITY OF CONCORD
CENTRAL CONCORD REDEVELOPMENT PLAN

As Amended by City Council Ordinance No. 1060, dated November 22, 1976

As Amended by City Council Ordinance No. 1156, dated July 9, 1979

As Amended by City Council Ordinance No. 83-11, dated May 2, 1983

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I. INTRODUCTION

The Central Concord Redevelopment Plan consists of text and one map (Exhibit A).

This Plan has been prepared by the Redevelopment Agency of the City of Concord, Concord, California, pursuant to The Constitution of the State of California, the Community Redevelopment Law of the State of California, and all applicable laws and local ordinances.

II. GENERAL DEFINITIONS

The following references will be used in this Plan unless the context otherwise requires:

- A: "Agency" means the Redevelopment Agency of the City of Concord, Concord, California.
- B. "City" means the City of Concord, California.
- C. "County" means the County of Contra Costa, California.
- D. "General Plan" means the Concord General Plan.
- E. "Map" means the Redevelopment Plan Map for the Central Concord Project Area (Exhibit A).
- F. "Owner" means any individual or entity owning "real property" as defined herein.
- G. "Person" means any individual, or any public or private entity.
- H. "Personal property" means movable property, chattels, property not part of real property defined below.
- I. "Plan" means the Central Concord Redevelopment Plan.
- J. "Planning Commission" means the Planning Commission of the City of Concord, California.
- K. "Project" means Central Concord Redevelopment Project.
- L. "Project Area" means the area included within the boundaries of the Central Concord Redevelopment Project.
- M. "Real Property" means land; including land under water and waterfront property; buildings, structures, fixtures, and improvements on the land; and property appurtenant to or used in connection with the land; every estate, interest privilege, easement, franchise, and right in land, including but not limited to rights-of-way, terms for years, and liens, charges, or encumbrances by

by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

- N. "Redevelopment Law" means the Community Redevelopment Law of the State of California (California Health and Safety Code, Section 33000 et seq.)
- O. "State" means the State of California.
- P. "Zoning Ordinances" means the current Zoning Ordinances of the City of Concord, California.

III. PROJECT AREA BOUNDARIES

The Central Concord Redevelopment Project Area, hereinafter called the "project area", is delineated on the Project Boundary and Land Use Plan Map designated as Exhibit A, attached hereto and by this reference made a part hereof, and is more particularly described as follows:

All that real property in the City of Concord, County of Contra Costa, State of California within the following described boundaries:

PARCEL 1

Beginning at a point on the western right of way line of San Carlos Avenue, said point also being the southeastern corner of Lot 6, Block 4 Doris Court Addition; thence westerly along the prolongation of the southern line of said Lot 6, Block 4, Doris Court Addition to a point of the eastern right of way line of Oakland Avenue; thence southerly along the eastern right of way of Oakland Avenue to the southern right of way of Mt. Diablo Street; thence westerly and northwesterly along the southern right of way line of Mt. Diablo Street to a point of intersection on the eastern property line of the lands of the Sacramento Northern Railroad Company; thence southerly along said eastern right of way to a point of intersection with the northeastern right of way line of Galindo Street; thence westerly across the intersection of Galindo Street and the Sacramento Northern right of way to the southeastern corner of Lot 1, Tract 2829; thence in a general northerly direction along the eastern boundary of said Tract 2829 to the northeastern corner of Lot 7, Tract 2829; thence southwesterly along the northern boundary of Tract 2829 to a point on the southern line of Subdivision Francisco Galindo (MB 5-113), said point being the southern point on the easement line which is also the prolongation of the western right of way line of Amador Avenue; thence northerly along the western right of way line prolongation and the western right of way line of Amador Avenue to its intersection with the southern right of way line of Clayton Road; thence from said point of intersection southwesterly along the southern right of way line of Clayton Road to a point on the western right of way line of Pine Street, said point being on a line bearing South $30^{\circ} 30'$ East, of the Concord Acres Annexation approved by Ordinance Number 321 (MB 17-369 5-29-20); thence northwesterly along the western line of Pine Street, 40 feet to the northwestern line of Concord Acres Annexation filed May 29, 1920, in Book 17 of Maps, at page 369; thence southwesterly along the northwestern line of said Concord Acres Annexation to the most western corner of Lot 71 of said Concord Acres Annexation, said point being the most northern corner of Lot 41, Meadow Homes Unit No. 2, said point also being on the northwestern line of Meadow Homes Unit No. 2; thence southwesterly along the northwestern line of said Meadow Homes Unit No. 2 and the prolongation of said line to a point on the eastern right of way of State Freeway Route 24; thence northeasterly along the general eastern right of way of State Freeway Route 24 to its intersection with the northern line of the Concord Avenue right of way; thence easterly along the northern right of way line of Concord Avenue to its intersection with the prolongation of the eastern right of way of Market Street; thence in a general northerly direction along the State Highway to the southwestern corner of the lands of the Mount Diablo High School (605 or 113); thence easterly along the southern line of said lands of Mount Diablo High School (605 or 113), 741.4 feet; thence South $12^{\circ} 53'$ East, 57.88 feet; thence South $31^{\circ} 10' 30''$ East, 491 feet, more or less, to the southeastern line of the Bonifacio Street right of way; thence southwesterly along the said southeastern line of Bonifacio Street to the intersection of the northern line of Concord Avenue; thence southeasterly along the northern right of way line of Concord

Avenue to the intersection of a line which is the southwesterly prolongation of the northern right of way of Pacheco Street; thence northeasterly along said northerly prolongation to the eastern line of Galindo Street; thence southeasterly along the eastern line of Galindo Street to the southwestern corner of Lot 1, Section B in the Town of Todos Santos (MB F-142); thence northeasterly along the southern line of said Lot 1 and its easterly prolongation 175 feet to the northeastern line of Lot 8, Section B, Town of Todos Santos (MB F-142); thence southeasterly along the northeastern line of said Lot 8, 40 feet to a point lying northwesterly 10 feet from the most southern corner of Lot 10, Section B, Town of Todos Santos (MB F-142); thence northeasterly parallel to and lying 10 feet northwesterly from the southeastern line of said Lot 10, 125 feet to the western right of way line to Mount Diablo Street; thence northwesterly along the western right of way line of Mt. Diablo Street and its northerly prolongation to its intersection with the northern right of way line of Pacheco Street; thence northeasterly along said northern right of way to its intersection with the northerly prolongation of the western lot line of Lot 12, Section H, Town of Todos Santos (MB F-142); thence southeasterly along said lot line and its northerly prolongation to the southwestern corner of said Lot 12; thence easterly along the southern lot line of said Lot 12 and its easterly prolongation to the western line of Grant Street right of way; thence northwesterly along said western right of way to its intersection with the northern line of the Pacheco Street right of way; thence northeasterly along said right of way line to its intersection with the eastern line of the Colfax Street right of way; thence southeasterly along said eastern right of way to the southwestern corner of Lot 3, Section R, Town of Todos Santos (MB F-142); thence northeasterly along the southern lot line of said Lot 3 and its prolongation to the southeastern corner of Lot 8, Section R, Town of Todos Santos (MB F-142); thence northwesterly along the eastern line of Lot 8 and along its northerly prolongation to the northern line of Pacheco Street right of way; thence northeasterly along the northern right of way of Pacheco Street to the eastern right of way of East Street; thence southeasterly along the eastern right of way of East Street to the southwestern corner of Lot 13, Section 2, Malthy's Second Addition (MB 5-120); thence northeasterly along the southern line of said Lot 13 and its easterly prolongation to the eastern right of way line of the Sacramento Northern Railroad; thence southeasterly along said eastern right of way line to the northern line of Willow Pass Road right of way; thence easterly along said northern right of way line to the intersection of the prolongation of the eastern line of the lands of Coast Counties Gas and Electric Company (SBE 109-7-3B, Pcl 1); thence South $19^{\circ} 38'$ East, along said prolongation 80 feet to the eastern line of said Coast Counties Gas and Electric Company parcel, said point also being on the southern right of way line of Willow Pass Road; thence in a general southerly direction along the generally eastern line of said Coast Counties Gas and Electric Company (SBE 109-7-3B, Pcl 1) to the northern line of Concord Boulevard; thence westerly along the northern right of way line of Concord Boulevard to its intersection with northerly prolongation of the eastern right of way line of Sinclair Avenue; thence southerly along said prolongation to the southern line of Concord Boulevard and its intersection with the eastern right of way line of Sinclair Avenue; thence southeasterly and easterly along the general eastern and northern lines of Sinclair Avenue right of way to the intersection of the southeastern corner of Lot 6, Section 21, Map No. 3, Parkside Addition (MB 7-155); thence southerly along the southerly prolongation of the eastern lot line of said Lot 6 to the northwestern corner of Lot 4,

Section 20, Map No. 3, Parkside Addition (MB 7-155) said point also being on the southern line of Sinclair Avenue; thence South 1° 52' East, 175 feet; thence North 88° 08' East, 141.19 feet to a point on the western line of the cul-de-sac at the southern end of Third Street; thence southerly and easterly along said cul-de-sac 80 feet, more or less, to a point on a line which bears North 88° 08' East; thence northeasterly along said line 145 feet, more or less, to its intersection with the line which bears North 1° 52' West; thence North 1° 52' West, 62.4 feet to the southern line of Lot 1, Section E, Parkside Addition; thence easterly along said line to the eastern right of way of The Alameda; thence southerly along the eastern right of way of The Alameda to the northwestern corner of Lot 12, Race Track Subdivision; thence easterly to the northeastern corner of Lot 16, Race Track Subdivision; thence southerly along the eastern line of said Lot 16 to the southern right of way line of Clayton Road; thence westerly along the southern line of Clayton Road to its intersection with the prolongation of the western boundary line of the Wygal Bros. Tract, said western boundary line prolongation also being an eastern line of the Annexation approved by City of Concord Ordinance Number 206; thence southerly along the general eastern boundary line of said Annexation to the northern line of Carleton Manor (MB 49-13); thence westerly along said northern boundary line of Carleton Manor to the northwest corner of Carleton Manor; thence north-easterly along the westerly prolongation of the boundary line of Carleton Manor to a line which is parallel and 2.24 feet more or less southerly from the southern line of Lot 3, Doris Court Addition; thence westerly along said line and its westerly prolongation to the western right of way of San Carlos Avenue; thence northerly along said western right of way to the point of beginning.

PARCEL II

Beginning at the northwest corner of lot 5 as shown on the map of Grammar School Adition filed in Book 18 of Maps at page 427, Official Records of Contra Costa County, California, said point being on the southeasterly line of Willow Pass Road and the northeasterly boundary of the Central Concord Redevelopment Project as adopted by the City of Concord Ordinance Number 991 on November 25, 1974; thence from said point of beginning, south $19^{\circ} 38'$ east 219.96 feet, more or less, to the southwest corner of said lot 5; thence north $78^{\circ} 26' 30''$ east, 215.93 feet, more or less, along the southeasterly boundary of lot 5 and the projection thereof to the southeast corner of the parcel of land described in the deed of O.F. Scanlon filed in Book 5958 of Official Records at page 95; thence along the northeasterly line of said Scanlon parcel, north $19^{\circ} 38'$ west, 150.22 feet, more or less, to a point which bears south $19^{\circ} 38'$ east along said line from the southeasterly line of Willow Pass Road; thence south $70^{\circ} 22'$ west, 119.25 feet, more or less, to the northeasterly line of the aforementioned lot 5 (18 M 427); thence along said northeasterly line and the projection thereof, north $19^{\circ} 38'$ west, 180 feet, more or less, to the northwesterly line of Willow Pass Road; thence south $70^{\circ} 22'$ west, 94 feet more or less to the northwesterly projection of the southwesterly line of lot 5, thence along said projection, south $19^{\circ} 38'$ east, 80 feet more or less to the point of beginning.

PARCEL III

Beginning on the northeasterly line of Concord Avenue at the southeast corner of Subdivision 3564, filed in Book 112 of Maps at page 29, Official Records of Contra Costa County, California; thence southeasterly along said northeasterly line of Concord Avenue, 375.62 feet, more or less, to the City Limits line of the City of Concord, Contra Costa County California; thence along said City of Concord City Limits Line south $13^{\circ} 11'$ west, 682.37 feet; north $76^{\circ} 49'$ west, 133.65 feet; north $13^{\circ} 11'$ east, 326.9 feet; north $76^{\circ} 49'$ west, 125 feet; south $13^{\circ} 11'$ west, 213.03 feet; north $66^{\circ} 13' 40''$ west, 396.07 feet to the center line of Via De Mercados, a 68 foot wide public street; thence along said centerline and the Concord City Limits line south $23^{\circ} 26' 40''$ west, 444.70 feet to the southerly terminous of said Via de Mercados; thence south $23^{\circ} 26' 40''$ west along the Concord City Limits line to the northeast corner of the parcel of land described in the deed to the City of Concord filed December 12, 1912 in Book 191 of Deeds at page 204, Official Records of Contra Costa County; thence along the northeasterly line of said City of Concord Parcel (191 D 204) and the Concord City Limits line south 40° east, 1,624.36 feet; thence continuing along the Concord City Limits line in a southeasterly direction to the southeast line of the 100 foot wide East Bay Municipal Utility District right of way; thence leaving said City Limits line, southwesterly along the aforementioned 100 foot wide East Bay Municipal Utility District right of way to the north line of Willow Pass Road and the Concord City Limits line; thence southwesterly along said north line of Willow Pass Road and the Concord City Limits line and southeasterly along said City Limits line to the southeasterly line of Willow Pass Road; thence leaving the Concord City Limits line, south $51^{\circ} 16' 07''$ west along the southeasterly line of Willow Pass Road to the northeasterly line of Franquette Avenue; thence southeasterly along said northeasterly line to the intersection thereof with the northeasterly projection of the southeasterly line of the Willow Pass Road Frontage Road; thence south $51^{\circ} 16' 07''$ west, crossing said Franquette Avenue and along the southeasterly line of said Willow Pass Frontage Road to the intersection of said southeasterly line with the northeasterly line of Diamond Way; thence along said northeasterly line and the southeasterly line of Diamond Way; southerly and southwesterly to the intersection thereof with the centerline of Challenge Drive; thence continuing along said line south $51^{\circ} 19' 05''$ west, 147.97 feet to a tangent curve having a radius of 57 feet and a center bearing south $38^{\circ} 40' 55''$ east; thence southwesterly along said curve a distance of 57.94 feet to a reverse tangent curve having a radius of 57 feet and a center bearing south $83^{\circ} 04' 39''$ west; thence westerly along said curve a distance of 165.41 feet; thence, leaving said curve, south $69^{\circ} 24' 11''$ west 135.9 feet to the northeasterly line of the Walnut Creek Channel right of way; thence south $69^{\circ} 24' 11''$ west to the southeasterly boundary of the State of California Interstate Freeway 680, also being the northwesterly boundary of the Walnut Creek Channel right of way; thence following said freeway boundary and channel right of way line northeasterly to the intersection of said line with the northwesterly line of Willow Pass Road; being the most southerly corner of Parcel B shown on the parcel map recorded in Book 81 of Parcel Maps, page 16, Official Records of Contra Costa County; thence continuing westerly and northerly along the northeasterly line of said State of California Interstate Freeway 680 to the intersection thereof with the southerly line of Concord Avenue and the City Limits line of the City of Concord; thence following said City Limits line northeasterly to its intersection with the northerly line of Concord Avenue; thence southeasterly along the northerly line of Concord Avenue to the Point of Beginning.

PARCEL IV

Beginning on the boundary of the City of Concord Central Redevelopment Plan as Amended by City Council Ordinance No. 1060, dated October, 1976 at a point which is the northeast corner of the parcel of land described in the deed to the City of Concord filed December 12, 1912 in Book 191 of Deeds at page 204, Contra Costa County Records, thence along said Redevelopment Plan boundary north $23^{\circ} 26' 40''$ east, 979.01 feet; south $66^{\circ} 13' 40''$ east 396.07 feet; north $13^{\circ} 11'$ east, 213.03 feet; south $76^{\circ} 49'$ east, 125 feet; south $13^{\circ} 11'$ west, 326.9 feet; south $76^{\circ} 49'$ east, 133.65 feet and north $13^{\circ} 11'$ east, 682.37 feet to the northeasterly line of Concord Avenue; thence leaving said Redevelopment Plan boundary and along the northeasterly line of Concord Avenue, south $75^{\circ} 43' 37''$ east, 1196.45 feet more or less to the north westerly right of way line of state freeway 24; thence along said right of way line south $21^{\circ} 44' 50''$ west 755.06 feet; south $24^{\circ} 16' 00''$ west, 1300.00 feet and south $26^{\circ} 54' 53''$ west, 646.47 feet to a point on the aforementioned Redevelopment Plan boundary, which point bears south 40° east, 1724.36 feet more or less from the point of beginning; thence along said Redevelopment Plan boundary, north 40° west, 1724.36 feet more or less to the point of beginning. Containing 76.6 acres more or less.

IV. REDEVELOPMENT OBJECTIVES

The Redevelopment Agency of the City of Concord proposes to use the process of redevelopment to eliminate many aspects of visual, economic, physical and social blight presently existing within the City of Concord and more specifically within the boundaries set forth within the Central Concord Redevelopment Plan. Within the project area there presently exists an undesirable mixture of residential, commercial, and industrial uses. In some parts of the area physical decline in the integrity of building improvements is apparent and in some areas there exist advanced stages of physical deterioration. In other parts of the area, an inadequate circulation system helps thwart the development of vacant or underutilized land.

The area is represented by fragmented parcelization and multiple ownership to the point that land assemblage for proper economic utilization of the area has been thwarted. The lack of early comprehensive planning as well as the intrusion into the project area of new public facilities such as BART has led to a condition where the proper utilization of land has been unrealized. This misuse of land when considered in light of fragmented ownership of parcels and the adverse effect the mixture of residential, commercial and industrial uses have in the area taken as a whole, constitute a physical, social and economic blighting influence on the project area. A further negative influence on the entire area is the lack of an adequate traffic circulation system which would unify the various sections and functions of the project area. The development of an adequate circulation system is necessary for the effective redevelopment of the entire project area.

The Central objectives of this redevelopment plan are:

1. To establish the project area as the center of the community in symbolic, functional and economic terms.
2. To maximize opportunities wherever possible for the retention of existing property interests, for local investors as well as for the continuation, revitalization and expansion of existing commercial enterprises within the area.
3. To accomplish these goals with a minimum displacement of any residential homeowner who may wish to remain within the project area.

To accomplish these general goals, the Agency will undertake the following major activities:

1. The Agency shall undertake to intensify and diversify the existing retail, service and entertainment area which surrounds the Plaza.
To accomplish this goal, the Agency may undertake the following activities;
 - a. Public off-street parking facilities may be provided to the extent necessary to attract new businesses and to permit expansion of existing businesses. Some segments of streets which are not required for vehicular circulation may be closed or abandoned in order to create new sites for parking facilities, additional private development, or public open space.
 - b. The Plaza and surrounding street frontages will receive improved landscaping treatments as well as other amenities. Grant Street between Salvio Street and Park Street may be improved to encourage pedestrian movement.

c. Controls on building design and signs will help assure a continuity of amenities around the Plaza and along Grant Street.

2. The Agency shall undertake to expand the City's employment base by encouraging new office development between the BART station and the Plaza. To accomplish this goal, the Agency may undertake the following activities:

- a. Concord Boulevard and Clayton Road may be made a one-way couplet to improve access into the area as well as to expedite through traffic movement. Overhead utilities may be eliminated and street trees may be planted.
- b. Segments of Mt. Diablo Street, Grant Street, Laguna Street and Mountain View Street may be closed or abandoned to facilitate assembly of sites for new project development or for public parking facilities.
- c. In the areas adjacent to the rapid transit station a greater intensity of development will be encouraged than elsewhere in the City.

3. The Agency shall undertake to expand the City's employment base by encouraging new commercial, office and light industrial development in the area between I-680 and Route 242.

The Agency shall undertake to eliminate the inadequate traffic circulation system throughout the project area which is necessary for the effective redevelopment of the entire project. To accomplish this goal, the Agency may undertake the following activities:

- a. The Agency may assist in construction of new on ramps and off ramps at the four intersections of Willow Pass Road and Concord Avenue with the two freeways.

- b. Willow Pass Road and Concord Avenue may both be widened.
- c. Six streets in the West Concord area may be extended. A new street may be constructed.
- d. The City of Concord sewer farm may be redeveloped with new public and private facilities.
- e. Improvement of Via de Mercados and Commerce Avenue in terms of surface quality and expansion to handle increased traffic capacities.
- f. Pine Creek may be bridged as an extension of Via de Mercados and as an extension of a widened Commerce Avenue.
- g. Walnut Creek may be bridged as part of an extension of Galaxy Way.

Other objectives for redevelopment of the project area are:

- 1. To locate public facilities in the project area whose character will enhance the downtown area.
- 2. To provide new opportunities for living close to BART and to jobs and to guide a major share of City's future population growth in the downtown area. To accomplish this goal, the Agency may undertake the following activities:
 - a. Residential densities which are higher than elsewhere in the City may be permitted within walking distance of rapid transit.
- 3. To unify various segments of the project area so that they become functionally and visually one, interrelated center for a variety of activities. To accomplish this goal, the Agency may undertake the following activities.

- a. Public improvements such as new bridges, streets and other public ways, plus tree planting, distinctive street lighting and special sidewalk design may be used to unify the area visually.
- b. In addition to the traffic circulation improvements set forth above in this Section IV, the "sewer farm" area will be improved and may include publicly owned and developed recreation facility.

In addition to the above-stated objectives, the following general goals and objectives are recognized by the Agency:

1. The Agency shall attempt to avoid any undesirable impact of project activities upon adjacent areas outside the project area.
2. The Agency shall attempt to provide whatever public improvements may be needed to support other objectives of the redevelopment plan.
Such improvements may be in any part of the project area, or beyond project boundaries where essential to the success of the project.
 - a. Other improvements such as sanitary and storm sewer facilities, traffic control devices and utility upgrading will be installed as required for support of project activities.
3. The Agency shall attempt to further the City's housing objectives, especially as they may be appropriate to the redevelopment project area; specifically, the Agency will promote the following objectives:
 - (1) Promote the availability of suitable housing at a reasonable cost for all income groups residing or wishing to reside in Concord.
 - (2) Encourage the expansion of housing opportunities for special need groups, such as elderly, handicapped and low-income persons.
 - (3) Strive for equal housing opportunity and access for Concord citizens regardless of race, color, religion, national origin, set, or marital/family status.

- (4) Insure the preservation of older and historical areas, homes and buildings.
- (5) Promote the development and continuance of a variety of housing types and design.
- (6) Encourage and preserve the compatibility of land uses and orderly transition of densities as they relate to the preservation of neighborhood and homes.

V. REDEVELOPMENT TECHNIQUES TO ACHIEVE PLAN OBJECTIVES

The redevelopment of the Central Concord Redevelopment Project will be undertaken in accordance with the provision of the California Community Redevelopment Law.

The Agency proposes to strive for economic, social and physical revitalization and beautification within the Project Area by:

1. Installation, construction, or reconstruction of streets, utilities, landscaping, and other on-site and off-site improvements.
2. Redevelopment of land by private enterprise or public agencies for use in accordance with this plan.
3. Providing for open space and recreational land use.
4. Rehabilitation and rejuvenation of existing structures.
5. Limited acquisition of real property.
6. Relocation assistance to displaced residential and non-residential occupants.
7. Demolition or removal of buildings and improvements.
8. Disposition of property for uses in accordance with this plan.

A. Participation by Owners and Business Tenants.

1. Opportunities for Owners and Business Tenants.

The Agency shall extend reasonable preferences to persons who are engaged in business in the Project Area, to continue or re-enter in business within the redevelopment area if they meet the requirements prescribed in this plan. For that purpose the Agency has adopted rules for re-entry of business in the Project Area.

It is the policy of the Agency to encourage the participation of property owners and businesses within the project area as such is necessary if the redevelopment process is to be successful in revitalizing Central Concord.

It is further the policy of the Agency to refrain from the acquisition of real property within the project area from owners who wish to remain and participate in the redevelopment of their property. To the extent possible the Agency shall attempt to acquire property only where there is a willingness to sell on the part of the private property owner. It is anticipated that the acquisition of real property within the project area will be limited and that the Agency's power of eminent domain will be used only in those rare instances in which the Agency determines that the acquisition of certain real property is necessary and is in the best interest of the project. It is the policy of the Agency to minimize acquisition of private property when possible and to vigorously pursue the encouragement of participation within

the redevelopment program of property owners and businesses within the project area. Said participation shall be pursued by the Agency by allowing owners of parcels of real property to: retain all or a portion of their properties; to acquire adjacent or other properties in the project area; and to upgrade and develop their property in conformance with this Plan.

In the event a participant fails or refuses to rehabilitate or develop his or her real property pursuant to this Plan and/or the participation agreement, as an alternate thereto, the Agency is authorized but is not required to acquire the real property or any interest therein which if acquired may be sold or leased for rehabilitation or development in accordance with this Plan and the rules for owner participation.

The Agency may determine that certain real property within the Project Area presently meets the requirements and objectives of this Plan and the owners of such properties will be permitted to remain as conforming owners without a participation agreement with the Agency, provided such owners continue to operate and use the real property within the requirements of this Plan.

The Agency may also determine that certain real property within the Project Area is substantially in conformance with the requirements and objectives of this Plan and the owners of such properties shall be allowed to remain as conforming owners provided said owners adequately landscape such property.

The Agency shall not acquire, through the use of eminent domain, conforming property owned by conforming owners when established by a resolution of the Agency as set forth in Section B(1) infra.

In the event any of the conforming owners desire to:

- 1) Construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or 2) acquire additional real property within the Project Area, then such conforming owners shall be required to enter into a participation agreement with the Agency in the same manner as required for owners of non-conforming properties.
2. Rules for Participation Opportunities, Priorities, and Preferences. Owners of property and business tenants may participate in the redevelopment of property in the Project Area in accordance with the Preference Rules and Participation Rules adopted or subsequently amended by the Agency. In general, these rules provide that in the event of displacement as a result of Agency activities existing business owners and business tenants within the Project Area be given preference for re-entry into business within the redeveloped Project Area. Owners will be required to submit proof to the Agency of their qualifications and financial ability to carry out their agreement with the Agency.
3. Participation Agreements. Each participant, not a conforming owner, shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop, or use the property in conformance with the

Plan and to be subject to the provisions hereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary in the determination of the Agency to make the provisions of this Plan applicable to their properties.

B. Property Acquisition

1. Acquisition of Real Property

Except as specifically exempted herein, the Agency may, but is not required to, acquire or obtain options to acquire real property located in the Project Area, by gift, devise, exchange, purchase, eminent domain or any other lawful method whatsoever. The Agency may also acquire any other interest in real property less than a fee interest.

Since it is in the public interest and is necessary for the elimination of those conditions requiring redevelopment, the power of eminent domain may be employed by the Agency in some instances to acquire real property in the Project Area.

However, said power of eminent domain will not be exercised when:

- a) The property in question is improved with a structure and the Agency has determined by resolution that the rehabilitation of the structure and its proposed use is consistent with the objectives of the plan and that such rehabilitation is in the best interest of project and the owner has thereafter entered into an owner participation agreement with the Agency and is faithfully performing under the terms of the agreement.

b) The property in question is improved by a structure and the Agency has determined by resolution that said structure and its use is consistent with the objectives of the Plan, that such property conforms to the Plan and that no owner participation agreement is necessary so long as the structure is adequately maintained and properly landscaped.

c) The property in question is owned by a public body.

Prior to any acquisition through eminent domain the Agency shall adopt a resolution declaring a need to acquire any specific property and authorizing the acquisition by such a method.

The Agency is not authorized to acquire real property owned by public bodies which do not consent to such acquisition. The Agency is authorized, however, to acquire property devoted to a public use, if it is transferred to private ownership before the Agency completes land disposition within the entire Project Area, unless the Agency is not authorized to acquire such property under other provisions of this Plan.

d) As to property added to the project area after October 1, 1976 the Agency must commence eminent domain proceedings within twelve years from the adoption of the ordinance adding said property to the project area. The time limit on commencing an action in eminent domain cannot be extended without further amendment to the plan.

2. Acquisition of Personal Property.

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means.

C. Cooperation with Public Bodies

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency by law is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. The Agency shall have the right to impose on all public bodies the planning and design controls contained in the Plan to insure that present uses and any future development by public bodies conform to the requirements of this Plan. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.

D. Property Management

During such time as property in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment.

In any year during which the Agency owns property in the Project Area, the Agency may, but shall not be required to, pay to the City of Concord, Contra Costa County or any district or other public corporation

which would have levied a tax upon such property had it not been exempt an amount of money in lieu of taxes; provided that no such payment shall be made for any period during which such property is devoted to a public use.

E. Relocation of Persons Displaced

When undertaken, the relocation of persons and businesses will be subject to the following standards:

1. Assistance in Finding Other Locations.

The Agency shall assist all families and single persons displaced by the Project in finding other locations and facilities. There are in areas of the City of Concord, other than the Project Area (areas not generally less desireable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area,) decent, safe and sanitary dwellings equal in number to the number of and available to such displaced families and persons and reasonably accessible to their places of employment.

In order to carry out the Project with a minimum of hardship to persons displaced from their homes, the Agency shall assist individuals and families in finding housing that is decent, safe, sanitary, within their financial means, in reasonable convenient locations, and otherwise suitable to their needs. The Agency is also authorized to provide housing outside the Project Area for displaced persons.

2. Relocation Payments

The Agency may pay reasonable moving expenses to persons (including families, business concerns and others) displaced by the Project. This provision is not intended to provide incentives for commercial

and industrial businesses to move out of the Project Area. The Agency may make such relocation payments for moving expenses where the Agency determines it is in the best interest of the Project and not to do so would create a hardship on the persons involved. The Agency may make such other payments as may be in the best interest of the Project and for which funds are available. The Agency shall make all relocation payments required by applicable law.

F. Demolition, Clearance, Public Improvements, Building and Site Preparation

1. Demolition and Clearance

The Agency is authorized to demolish, clear or move buildings, structures, and other improvements from any real property owned or acquired by the Agency in the Project Area as necessary to carry out the purposes of this Plan.

2. Public Improvements

The Agency is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the Project Area) necessary to carry out this Plan. Such public improvements include, but are not limited to, over or underpasses, bridges, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, buildings, parks, off-street parking, plazas, playgrounds, and landscaped areas.

For portions of the project area added to the Plan boundaries after October 1, 1976 it is anticipated that the following public improvements including the costs of property acquisition, site preparation, design and construction, will be undertaken:

- a) The development of the abandoned Concord Sewage Treatment Facility to include a potential for open space and/or recreational facilities.
- b) New and/or improved on and off ramps linking freeway 680 at Concord Avenue, Willow Pass Road and Galaxy Way.
- c) New and/or improved on and off ramps linking State Route 242 to Diamond Boulevard and Meadow Lane; Willow Pass Road; Clayton Road; Commerce Lane.
- d) New and/or improved streets including (i) extension of Galaxy Way, John Glenn Drive, Burnett Avenue, Meridian Boulevard, Via de Mercados, Hotel Way, Commerce Avenue; (ii) widening of Concord Avenue and Willow Pass Road; (iii) construction of a new street serving The Willows; (iv) Willow Pass Road/Clayton Road "S" curve.
- e) As an alternative to some improvements listed above, development of expanded public mass transit system from the BART Station throughout the Project Area to reduce the dependence upon private automobiles.

3. Preparation of Building and Development Sites

The Agency is authorized to prepare or cause to be prepared as building and development sites any real property in the Project Area owned or acquired by the Agency.

4. Landmark Preservation

No building which has been designated a landmark pursuant to the City's Landmark Preservation Ordinance shall be subject to demolition.

G. Rehabilitation and Moving of Structures by the Agency

1. Rehabilitation

The Agency is authorized to rehabilitate or to cause to be rehabilitated any building or structure in the Project Area acquired by the Agency. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation of property in the Project Area not acquired by the Agency.

2. Moving of Structures

As necessary in carrying out this Plan, the Agency is authorized to move or to cause to be moved any building or other structure to a location within or outside Project Area.

H. Property Disposition and Development

1. Real Property Disposition and Development

a) General

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property.

To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated leases or sales without public bidding.

All real property acquired by this Agency in the Project Area shall be sold or leased for development for the uses permitted in the Plan. Real property may be conveyed by the Agency to the City or any other public body without charge.

Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one year after completion of rehabilitation or an annual report concerning such property shall be published by the Agency as required by law.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to insure that development is carried out pursuant to this Plan.

b) Purchase and Development by Participants

Pursuant to the provisions of this Plan and the rules adopted by the Agency, the Agency may offer real property in the Project Area for purchase and development by owner and business-tenant participants prior to the time that real property is made available for purchase and development by persons who are not owners or business-tenants in the Project Area.

c) Purchase and Development Documents

To provide adequate safeguards to insure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the Agency, as well as all property subject to participation agreements, shall be made subject to the provisions of this Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the zoning ordinance, conditional use permits, or other means. Where appropriate, as determined

by the Agency, such documents or portions thereof shall be recorded in the office of the Recorder of the County.

The leases, deeds, contracts, agreements, and declarations of restrictions may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions, subsequent, equitable servitudes, or any other provision necessary to carry out this Plan.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, religion, sex, or national origin, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be made expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer or use, occupancy, tenure or enjoyment of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as are required by law, and as set forth in Section I. herein.

Appropriate covenants running with the land which will prohibit such restrictions shall be included in the disposition documents.

d) Development

To the extent now or hereafter permitted by law, the Agency is authorized to pay for all or part of the value of the land and the cost of the installation and construction of any building, facility, structure, or other improvements either within or outside the Project Area for itself or for any public body or

entity to the extent that such improvements would be of benefit to the Project Area.

During the period of development in the Project Area, the Agency shall insure that the provisions of this Plan and of other documents formulated pursuant to this Plan are being observed, and that development in the Project Area is proceeding in accordance with development documents and time schedules.

The Agency shall require that development plans on property acquired from Agency or on property subject to an owner participation agreement be submitted to Agency staff for approval and review. All development must conform to this Plan and all applicable Federal, State, and local laws, except as such may be modified by requirements of this Redevelopment Plan or Agency agreements entered into to carry out the purposes of this Plan.

e) Obligations to be Imposed on Redevelopers

(1) Purchasers of land acquired from Agency or subject to an owner participation agreement within the Project Area shall be required to develop such land in accordance with the provisions of this Plan. No building, sign or structure shall be constructed upon any part of such land unless architectural plans and specifications, showing the nature of such construction, parking, loading, surface treatment and landscaping, the location and orientation of structure(s) on the building site

and, when requested, the grading plans for the building site to be built upon, shall have been submitted to, reviewed and approved in writing by the Agency. The Agency shall have the right to refuse to approve any such plans or specifications when in the opinion of the Agency such plans or specifications do not conform with the conditions and objectives of the Plan.

(2) Acquirers, users or developers of land acquired from Agency or subject to an owner participation agreement within the Project Area must commence the erection of any building, prosecute diligently the work thereon and complete it within such reasonable period of time as agreed upon with the Agency.

(3) Persons who are engaged in business in the Project Area shall be granted preference by the Redevelopment Agency to re-enter in business within said Area after redevelopment if they otherwise meet the requirements prescribed by the Plan.

(4) The acquirer, user, or owner shall be responsible for complying with all applicable State and local laws, ordinances and codes, in effect from time to time, not superceded by this Plan.

2. Personal Property Disposition

For the purpose of this Plan, the Agency is authorized to sell, lease, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property.

I. Prevention of Discrimination

1. Redevelopment

The redeveloper shall comply with all State and local laws, in effect from time to time, prohibiting discrimination or segregation by reason of race, religion, sex, or national origin, in the sale, lease or occupancy of the property.

Pursuant to California Health and Safety Code (Sections 33337 and 33435-33436), contracts entered into by the Agency relating to the sale, transfer or leasing of land, or any interest therein acquired by the Agency within any redevelopment area or project, the provisions of said Section is substantially the form set forth therein shall be included in such contracts, and such contracts shall further provide that the provisions of said Section shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties and all other transferees under the instrument.

2. Contracts

All deeds, leases or contracts for the sale, lease, sublease or other transfer of any land in the Project Area shall contain the following nondiscrimination clauses as prescribed by California Health and Safety Code, Section 33236:

In deeds the following language shall appear:

"The grantee herein covenants by and for himself, his heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against, or segregation of, any person or group of persons on

account of race, religion, sex, or national origin, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land."

In leases, the following language shall appear:

"The lessee herein covenants by and for himself, his heirs, executors, administrators, and assigns, and all persons claiming under or through him, and this lease is made and accepted upon and subject to the following conditions:

"That there shall be no discrimination against or segregation of any person or group of persons, on account of race, religion, sex, or national origin, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment, of the premises herein leased, nor shall the lessee himself, or any person claiming under or through him, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, occupancy, or tenants, sublessees, subtenants, or vendees in the premises of herein leased."

3. Duration

The covenants in deeds, leases, and contracts from or with the Agency, with respect to Prevention of Discrimination, shall remain in effect in perpetuity.

VI. PERMITTED LAND USES

The permitted land uses of the Redevelopment Plan are consistent with and conform to the Concord General Plan.

A. Map

A land use map showing the permitted land uses and major circulation routes within the project area is attached hereto as Exhibit A.

B. Retail Business

1. Predominant Uses of Ground Floor Area shall be:

- a) Retail stores and personal and business services
- b) Banks and other customer-oriented offices
- c) Restaurants and other places serving food and drink
- d) Theatres and other places of entertainment provided
they are contained in a building
- e) Hotels
- f) Civic, Religious and other non-profit uses
- g) Public transportation facilities

2. Secondary uses which may be permitted are:

- a) Off-street parking facilities
- b) Administrative and professional offices
- c) Housing

These uses will not normally occupy ground floor space fronting directly on public rights-of-way within areas designated "Retail Business"

3. Uses permitted conditionally, subject to appropriate conditions by the Agency, are:

- 1) Automotive sales and services

- b) Drive-in banks, drive-in restaurants, service facilities, and similar automobile-oriented uses.
- c) Outdoor sales as adjunct to building-contained uses.

C. Offices

- 1. Predominant uses of floor space shall be:
 - a) Administrative offices
 - b) Banks, professional and other customer-oriented offices.
- 2. Secondary uses which may be permitted are:
 - a) Off-street parking facilities
 - b) Housing
 - c) Uses permitted in "Retail Business" areas, as may be appropriate.
- 3. Uses permitted conditionally, subject to appropriate conditions by the Agency are the same uses permitted conditionally in "Retail Business".

D. Regional Retail and Employment Uses

- 1. Permitted uses shall be:
 - a) Retail stores and personal and business services
 - b) Administrative offices
 - c) Banks, professional, and other offices
 - d) Restaurants and other places serving food and drink
 - e) Theatres and other places of entertainment provided they are contained in a building
 - f) Hotels
 - g) Civic, religious, and other non-profit uses
 - h) Public transportation facilities

2. Uses permitted conditionally, subject to appropriate conditions by the Agency, are:
 - a) Automotive sales and services
 - b) Building materials sales
 - c) Gasoline sales
 - d) Drive-in banks, drive-in restaurants, service facilities and similar automobile-oriented uses.
 - e) Warehousing and distribution facilities
 - f) Light industrial uses

E. Auto-Oriented Retail Business

1. Predominant uses shall be:
 - a) Automotive sales and services
 - b) Building materials sales
 - c) Uses permitted in "Retail Business" areas, as may be appropriate.
2. Uses permitted conditionally, subject to appropriate conditions by the Agency:
 - a) Gasoline sales
 - b) Drive-in banks, drive-in restaurants, service facilities and similar automobile-oriented uses.
 - c) Warehousing and distribution facilities

F. Light Industrial and Warehousing Uses

1. Permitted uses shall be:
 - a) Light Industrial Uses
 - b) Warehousing and distribution facilities
 - c) Associated administrative offices
 - d) Associated retail sales and personal and business services

2. Uses permitted conditionally, subject to appropriate conditions by the Agency, shall be those uses permitted in areas designated "Regional Retail and Employment Uses".

G. Housing

1. Predominant uses shall be:

- a) Dwelling units
- b) Recreational and service uses in support of residents of dwelling units
- c) Public open space oriented to residents

2. Secondary uses which may be permitted are:

- a) Off-street parking facilities
- b) Retail and personal service uses oriented to requirements of residents
- c) Day-care facilities, nursery schools and other social service facilities

3. Uses permitted conditionally, subject to appropriate conditions by the Agency, shall include uses as may be appropriate to high density residential areas.

4. Dwelling Units

There presently exists approximately 392 dwelling units within the project area. It is anticipated that upon project completion, there may be approximately 2,300 units. However, this latter figure is only a general estimate which may change considerably based on future development potential generated within the project area as a result of Agency activity.

H. Parks, Recreation and Open Space

Park and recreational facilities as well as public open space shall be developed in a manner consistent with the goals set forth in this Plan. Specific areas have been designated in Exhibit A for such purposes. However, open space and public areas as well as any public buildings which may be necessary in providing services to the public are permitted uses throughout the project area.

I. Mall and Parking Lot of B.A.R.T.D.

1. Predominant Uses shall be:

- a) Pedestrian facilities, both surface and above-street
- b) Fountains, landscaping and similar amenities
- c) Extensions of abutting uses, including retail and personal service uses, restaurants, kiosks
- d) Public service facilities, such as information booths or kiosks
- e) Civic uses, such as art center, theater and assembly space
- f) Parking facilities

J. Streets and Rights-of-Way

The existing public streets anticipated to be retained within the project area are depicted on Exhibit A. All streets within the project area may be widened, altered, or vacated for purposes of development of the project. New streets may be created as necessary. These public rights-of-way shall be used for vehicular and/or pedestrian traffic as well as for public improvements, public and private utilities, and activities typically

found in public rights-of-way. Any and all street vacations pursuant to this plan shall be in accordance with the City's public hearing requirements as well as all other applicable law including, but not limited to, those provisions set forth in the California Streets and Highways Code.

K. General Controls and Limitations

All real property in the project area is hereby made subject to the controls and requirements of this plan.

No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of the plan except in conformance with the provisions of this plan and all applicable State and local laws in effect from time to time.

1. New Construction

All new construction shall comply with all applicable State and local laws in effect from time to time, except as inconsistent with this plan or agreements entered into by the Agency under the Authority of this plan.

All setback areas shall be landscaped and maintained by the owners with the exception of any portion necessary for access which shall be paved in accordance with the landscaping concept established by the Agency. Parking facilities shall be provided in accordance with the

criteria set forth in the plan at the ratio set by the Agency. All parking shall be paved and drained so that storm and surface waters draining from parcels will not cross public sidewalks, and all parking spaces visible from the street shall be landscaped as necessary to prevent unsightly barren appearances as set forth by the plan.

Off-street loading facilities, trash areas, and any outdoor storage of materials approved by the Redevelopment Agency shall be adequately enclosed or screened by walls, landscaping, or other such enclosure consistent with the applicable City ordinances and in a manner approved by the Redevelopment Agency.

2. Existing Non-conforming Uses

The Agency is authorized to permit an existing use to remain in an existing building in good physical condition which does not conform to the provisions of this plan provided that such use is generally compatible with the developments and uses within the project area.

3. Rehabilitation

Any structure within the project area which will be retained as part of the redevelopment plan shall not be repaired, altered, reconstructed, or rehabilitated unless it is done so in conformance with the redevelopment plan and any and all guidelines which may be adopted by the Agency to assist in the implementation of the plan. This conformity shall

extend to the architectural character, the public spaces and other elements as required by the Agency.

4. Open Spaces and Landscaping

The approximate amount of open space to be provided within the project area is set forth in Exhibit A and is included as part of the goals and objectives of this plan. These areas include, but are not limited to, the total of all areas which will be in the public rights-of-way, open space areas, the space around buildings, and all other outdoor areas not permitted through applicable limits of land coverage to be covered by buildings. Landscaping plans shall be required to be submitted to the Agency for review and approval.

5. Signs

Exterior signs necessary for the identification of buildings and premises shall be permitted provided that they comply with the design criteria established for the project area. The Agency may require that the complete sign program be reviewed by the Agency staff as well as the City's Design Review Board prior to their erection or installation in any area within the redevelopment boundaries.

6. Utilities

The Redevelopment Agency shall require that all utilities be placed underground including, but not limited to, the following: transformer vaults or pads, water meters and valves, telephone pull boxes, manhole inlets and drain facilities, and cable TV.

7. Incompatible Uses

No use or structure which by reason of appearance, traffic, traffic, smoke, glare, noise, odor, or other similar factors that would be incompatible with the surrounding areas or structures shall be permitted in any part of the project area.

8. Nondiscrimination and Nonsegregation

There shall be no discrimination or segregation based on race, religion, sex or national origin, permitted, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the project area.

9. Resubdivision of Parcels

After rehabilitation and development pursuant to this plan, no parcel in the project area, including any parcel retained by a conforming owner or participant, shall be resubdivided without the approval of the Agency.

10. Variations

Under exceptional circumstances, the Agency is authorized to permit variations from the limits, restrictions, and controls established by the plan. In order to permit such a variation, the Agency must determine that:

- a. The application of one or more of the provisions of this plan would result in unnecessary hardship to the property owner; and
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls; and

- c. Permitting a variation from the limits, restrictions, or controls of this plan will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Permitting a variation will not be contrary to the objectives of this plan.

No such variation shall be granted which changes a basic land use pursuant to this plan or which permits other than a minor departure from the provisions of this plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the objectives of the plan.

J. Standards for Development

Within the limits, restrictions, and controls established in the plan, the Agency is authorized to establish specific building heights, building coverage, design criteria, architectural character, landscaping character, sign character, traffic circulation, ingress and egress, and any other development and design control necessary to implement the plan. Said controls would relate to both private and public areas within the project area. No new development shall be constructed and no existing improvements shall be substantially modified, altered, repaired, or rehabilitated except in accordance with the aforementioned standards for development. Said standards will be developed and adopted by the Redevelopment Agency. The Agency shall not approve plans which do not comply with the design criteria.

(1) Height and Bulk and Density Requirements

a. Height

No building shall exceed 200 feet in height. The height of any building shall be determined with respect to providing a transition from small-scale residential buildings north of Pacheco Street.

b. Bulk

On any building site the gross floor area may not exceed five times the area of the site.

c. Density

The maximum permitted dwelling unit density shall be 100 units per acre of site area, except that housing designed specifically for persons 62 years of age and over may be developed at greater densities.

K. Building Permit

1. Review of Applications

Upon the adoption of this plan, no permit shall be issued for the construction of any new building or the addition to an existing building or any permit for rehabilitation in the project area until the application for such permit has been processed in the manner herein provided. Any permit that is issued hereunder must be for construction or maintenance which conforms to the provisions of this plan.

The procedure for filing an application for a building permit shall be the same procedure currently used by the City in processing building permit applications. Upon receipt of an application by the Building Division, the Building Division shall submit to the Executive Director (or the authorized designee of the Executive Director) of the Redevelopment Agency said application for review to determine if the proposed improvements conform to the Redevelopment Plan. Within fifteen (15) days thereafter, the Executive Director shall submit a report to the Building Division on said application. Said report shall:

1. Deny the application.
2. Approve the application.
3. Approve the application with modifications or conditions felt to be necessary by the Executive Director.

"After receipt of the report or after 15 days from the submittal of the application to the Executive Director, whichever first occurs, the Building Division may issue the permit with conditions, if any, as set forth in the Executive Director's report, or may deny the issuance of the permit pursuant to the Executive Director's report.

2. Appeal

The applicant or the Agency may appeal the Building Division's decision to withhold, to conditionally allow, or to allow the issuance of such a permit pursuant to established City procedures."

VII. NEIGHBORHOOD IMPACT STATEMENT

The purpose of this section is to describe the impact of the project upon the residents of the area and the surrounding areas in terms of relocation, traffic circulation, environmental quality, availability of community facilities and services, on school population and quality of education, property assessments and taxes as well as other matters affecting the physical and social quality of the neighborhood.

All these factors are discussed in depth in the Environmental Impact Report(s) prepared for this Plan. To include that data herein would be excessively voluminous and unnecessarily repetitive. However, the following is a summary of the consideration given to the above factors in the development of this Plan.

The project is designed to eradicate the blighted conditions now prevalent in the area. For the most, part, properties shall be acquired and sites cleared for future development in economic parcel sizes which will be intended to eliminate deteriorated and deteriorating structures present in the area, and at the same time eliminate the mixed character of uses which have historically developed due to faulty planning or the lack of any planning.

In establishing the Project Area boundaries, care was taken to include only those portions of the central area in which commercial or other economic activities were located. Two small residential enclaves were additionally included since they are surrounded by commercial or public uses and show signs of adverse changes in upkeep, occupancy or structural condition. Single family dwellings in the nieghborhood north of

Salvio Street, however, were purposely omitted from the project. These homes, many of which have historical importance, are thus left intact and retain their stable character and an advantageous proximity to the City core.

An objective of the Redevelopment Project is to minimize the displacement of all residents. In parts of the Project Area where there are proposed no changes in the use of land or intensity of development, residents who remain are expected to benefit from environmental improvement. In the cases where the plan permits or requires changes, such that continued residence is not feasible, present residents will seek housing elsewhere. If such a move is a direct result of Agency activity, residents will be assisted in their relocation efforts as required by State law, and as specified in the Report on the Redevelopment Plan.

Any detrimental impact on the surrounding residential neighborhoods will be avoided through the appropriate exercise of city powers such as zoning and enforcement of codes.

Proposed new development within the California Hill area will help to strengthen and improve the livability of this area by eliminating conflicting land uses, poor street conditions and deteriorated buildings. Adjacent to Galindo Street near the BART Station, new multiple units will provide a living environment of quality and convenience; close to rapid transit service, employment concentrations, pleasant open spaces and retail and entertainment activities.

The Project is anticipated to provide the community as a whole, and specifically to nearby residential neighborhoods, commercial, civic and office related facilities, goods and services of improved variety and character.

The Redevelopment Plan is designed to expand and diversify public open spaces and to locate new public facilities downtown that will enhance the central area, creating a more viable city focus for community events and gatherings. A principle objective of the Project is to provide substantial improvements to pedestrian spaces and pathways. Such things as wider sidewalks, street furniture, and landscape treatments will create more useable and functional open space within the downtown district. Further, improved pedestrian linkages are proposed not only to unify the area, but to provide convenient and safe movement from surrounding neighborhoods into the downtown or to the BART station.

Improvement to vehicular circulation in the project area is anticipated by this Project including improved freeway access, stronger east-west connections, more efficient interior movements, and better direct access to the BART Station. A major goal of these changes is to develop a street pattern that will restrict heavy traffic volumes away from residential areas as well as to provide peripheral routes around the pedestrian-oriented Plaza blocks. Automobile, bicycle and pedestrian routes will be designed to allow a broad and convenient choice among transit modes to the surrounding neighborhoods and residential development within the project area. Specifically the expansion of the project area to include property added after October 1, 1976 has been designed to implement circulation changes necessary for the effective redevelopment of the original project area and to assist in the improvement of the vehicular circulation system set forth above. As this area contains no residential uses at present and as none are permitted under the Plan, this additional area will have minimal impacts on the surrounding

community except to the extent that the implementation of the redevelopment program in that area will alleviate existing congestion and circulation problems already a burden on the surrounding neighborhoods.

When completed, the Project may introduce a significant increase in residential units within the Project area. These multiple units will not likely draw the large family housing market, so that very few school-age children will be added to the immediate area. Also, nearby schools which show declining enrollments are fully able to absorb new increases in school population with minimal impact upon the quality of education.

The Central Concord Redevelopment Project is anticipated to be financed substantially by tax increment funding. In this way, there will be the least burden in taxes to those businesses and homeowners within the Project Area as well as to the general property taxpayer in Concord. Upon completion of the Project, sales tax and real estate tax revenues available to the City of Concord should increase. In light of this growth, the assessed value of surrounding neighborhoods should be enhanced.

It is a principle objective of the Redevelopment Agency that the improvement of the Project Area will have beneficial effects upon the surrounding neighborhood.

VIII. METHODS FOR FINANCING THE PROJECT

A. General Description of the Proposed Financing Method

Upon adoption of this Plan by the City Council, the Agency is authorized to finance this Project with financial assistance from the City of Concord, State of California, Contra Costa County, Federal Government, Property Tax Increments, Interest Income, Agency notes and bonds, or any other available source.

The advances for survey and planning and the operating capital for administration of this project may come through loans from the City. Such loans shall be on terms established by the City and the Agency. The City may also supply additional assistance through City loans and grants for various public facilities.

As available, gas tax funds from the State of California and the County of Contra Costa may be used toward the cost of the street system and related improvements. There will also be some revenue accruing to the Project from interest earned on investments of Agency funds.

The Agency is hereby authorized to obtain advances, borrow funds and create indebtedness and other obligations in carrying out this Plan after first submitting a financing summary of each project to the City Council. The principal and interest on such advances, funds, indebtedness and other obligations, may be paid from tax increments or any other funds available to the Agency.

B. Tax Increments

All taxes levied upon taxable property within the Project Area each year by or for the benefit of the State of California, County of Contra Costa, City of Concord, any district, or other public

corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving this Plan, shall be divided as follows:

(1) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by, or for, each of the taxing agencies upon the total sum of the assessed value of the taxable property in the Redevelopment Project (as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency), last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by, or for, said taxing agencies on all other property paid. For the purpose of allocating taxes levied by, or for, any taxing agency or agencies which did not include the territory of the Redevelopment Project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the County of Contra Costa last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the Project on the effective date; and

(2) That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the Agency to finance or refinance, in whole or in part, this Redevelopment Project. Unless and until the total assessed valuation of the taxable property in the redevelopment project exceeds the total assessed

value of the taxable properties in such Project as shown by the last equalized assessment roll referred to in paragraph (1) hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

The portion of taxes mentioned in subdivision (2) above may be irrevocably pledged by the Agency for the payment of the principal of and interest on money advanced, loans, or any indebtedness (whether funded, refunded, assumed or otherwise) by the Agency to finance or refinance in whole or in part, the Central Concord Redevelopment Project.

The Agency is authorized to make such pledges as to specific advances, loans, indebtednesses, and other obligations as appropriate, in carrying out the Project.

As to tax increments generated within that portion of the project area added to the plan boundaries after October 1, 1976 no loans, advances or indebtedness shall be established or incurred by the Agency after the expiration of fifteen years from date upon which this plan was amended to add such portion of the project area.

As to the tax increment generated within that portion of the project area added to the plan boundaries after October 1, 1976, no more than \$65 million may be divided and allocated to the redevelopment agency without further amendment to this plan.

As to bonds issued by the Agency specifically for activities to be undertaken in that portion of the project area added to the Plan boundaries after October 1, 1976 the amount of bonded indebtedness outstanding at any one time shall not exceed \$30,000,000.00.

C. Other Loans and Grants

Any other loans, grants, or financial assistance from any other public or private source may be utilized if available.

IX. ACTIONS BY THE CITY

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of the Plan and to prevent the recurrence or spread in the area of conditions causing blight. Action by the City may include, but not be limited to, the following:

- A. Initiation and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-ways, and for other necessary modifications of the streets, the street layout, and other public rights-of-ways in the Project Area. Such action by the City shall include proceedings for the abandonment and relocation of public utilities in the public rights-of-ways as appropriate to carry out this Plan.
- B. Initiation and completion of proceedings necessary for changes and improvements in publicly-owned public utilities within or affecting the Project Area.
- C. Initiation of proceedings for revision of zoning, where necessary within the Project Area, to permit the land uses and development authorized by this Plan.
- D. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls, within the limits of this Plan, upon parcels in the Project Area to ensure their proper development and use.
- E. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency shall develop and provide for enforcement of a program for continued maintenance by

owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

F. Performance of the above, and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area, to be commenced and carried to completion without unnecessary delay.

X. ENFORCEMENT

After development, the administrative enforcement of this Plan or other documents implementing this Plan shall be performed by the City or the Agency.

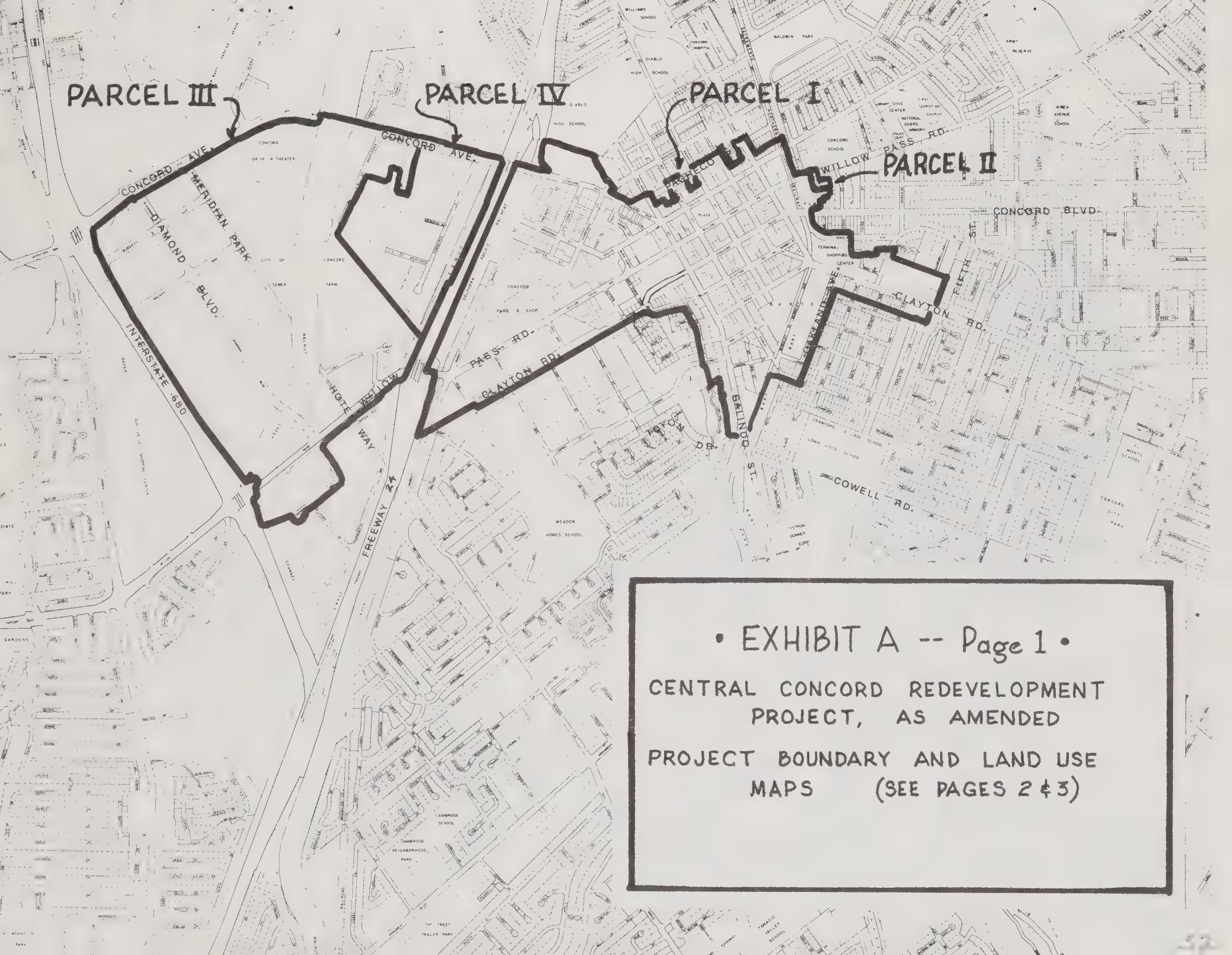
The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by Court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, re-entry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area, may be enforced by such owners.

XI. DURATION OF THIS PLAN

Except for the nondiscrimination and nonsegregation provisions, which shall run in perpetuity, the provisions of this Plan shall be effective and the provisions of other documents formulated pursuant to this Plan may be made effective for 45 years from the date of adoption of this Plan by the City Council.

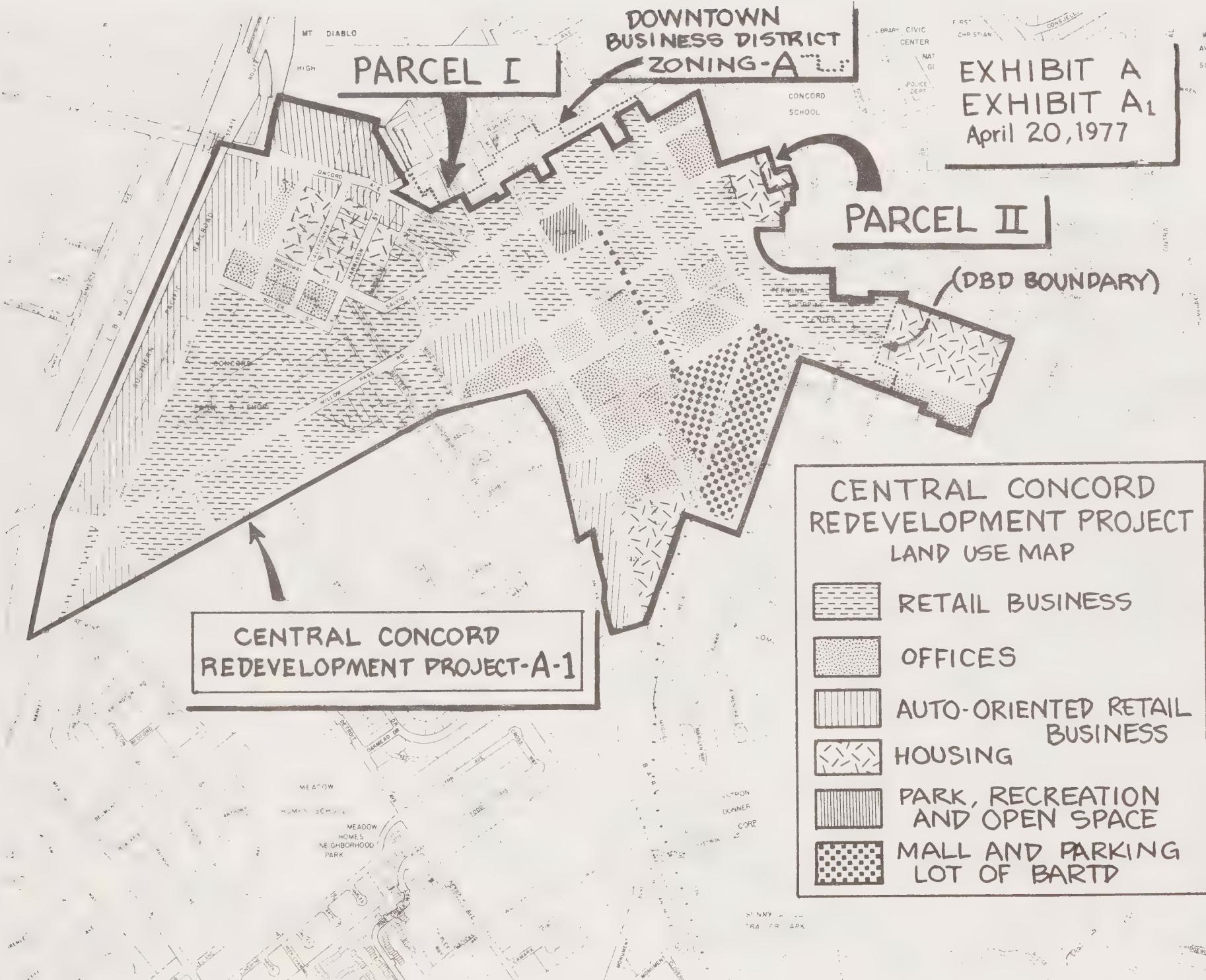
XII. PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in the Redevelopment Law (see California Health and Safety Code Sections 33450 to 33458), as the same now exists or as hereafter amended, or by any other procedure hereafter established by law.

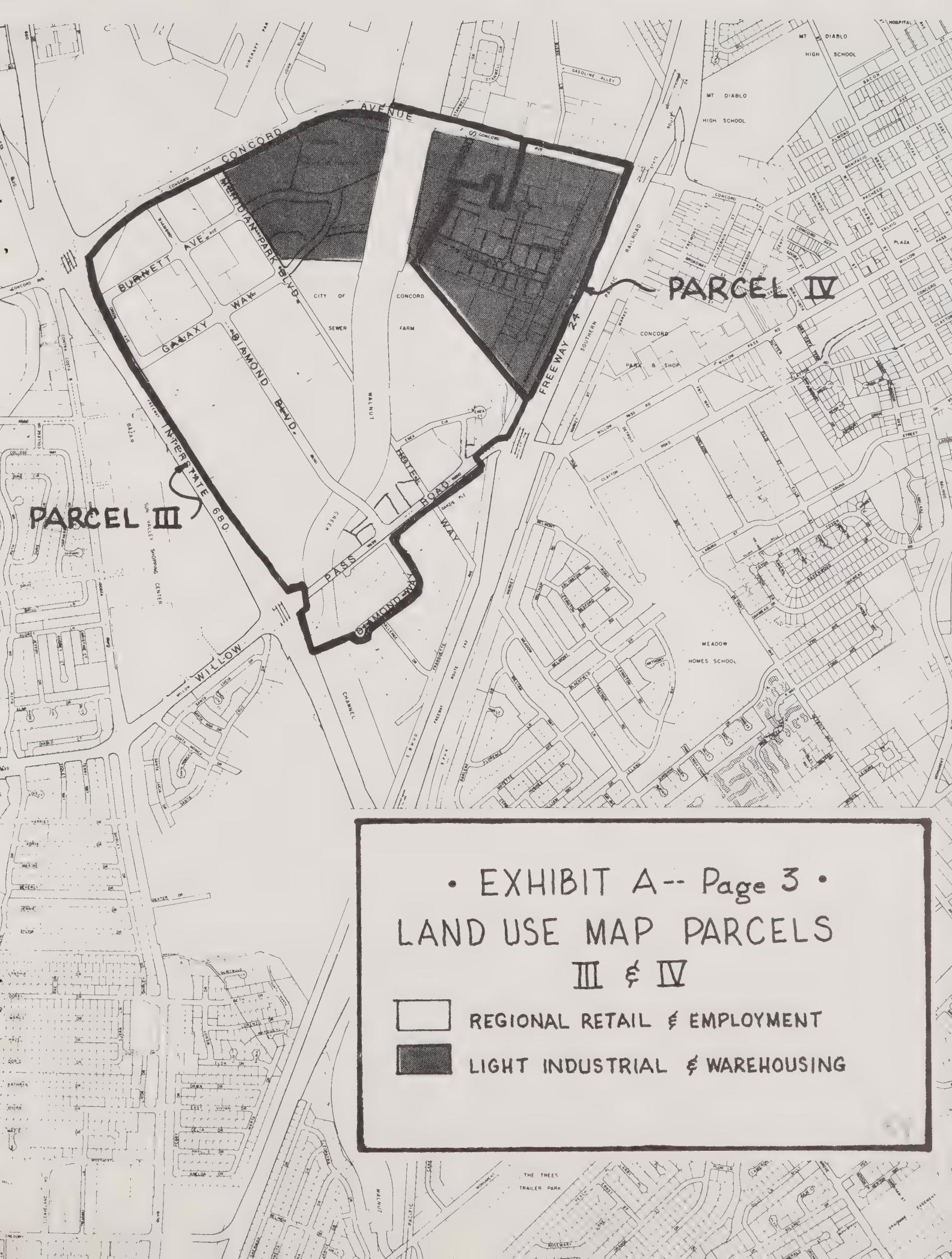


• EXHIBIT A -- Page 1 •

CENTRAL CONCORD REDEVELOPMENT
PROJECT, AS AMENDED
PROJECT BOUNDARY AND LAND USE
MAPS (SEE PAGES 2 & 3)



DECEMBER 1979
REVISED MAY 1983



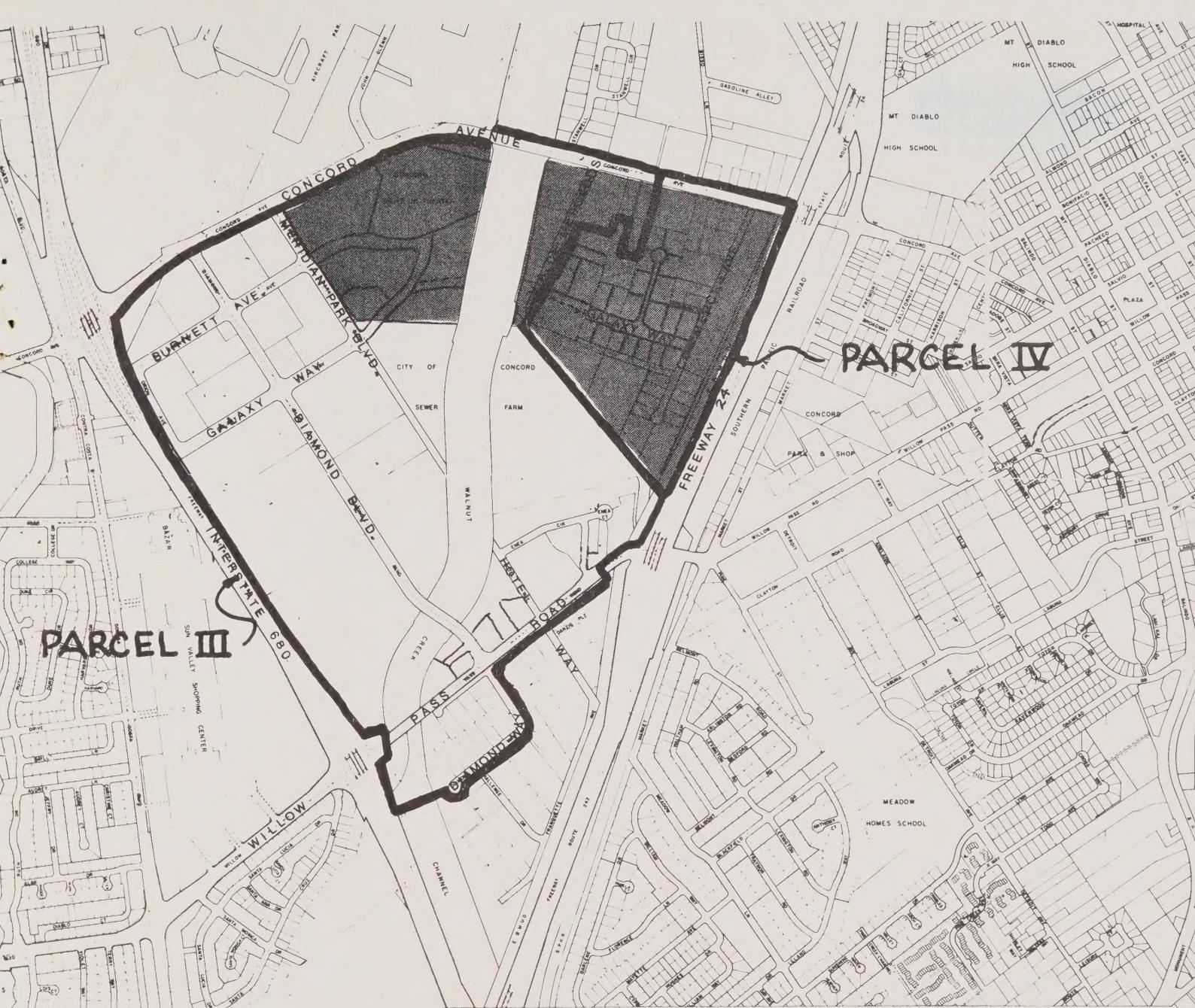
• EXHIBIT A -- Page 3 •
LAND USE MAP PARCELS

III & IV

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REGIONAL RETAIL & EMPLOYMENT

LIGHT INDUSTRIAL & WAREHOUSING

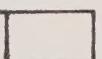


PARCEL III

PARCEL IV

• EXHIBIT A-- Page 3 •
LAND USE MAP PARCELS

III & IV



REGIONAL RETAIL & EMPLOYMENT



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